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E-Filed on 7/30/07

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,
USA CAPITAL FIRST TRUST DEED FUND, LLC,
USA SECURITIES, LLC,
Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**Objection Of The USACM Liquidating Trust
To Newby 1984 Family Trust dtd 3/19/84's
Claim Asserting Secured Status**

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Hearing Date: October 15, 2007
Hearing Time: 9:30 a.m.

Newby 1984 Family Trust dtd 3/19/84 filed Proof of Claim No. 10725-02487 against USA Commercial Mortgage Company ("USACM"). The Proof of Claim asserts a secured claim. The USACM Liquidating Trust (the "USACM Trust") hereby objects to Newby 1984 Family Trust dtd 3/19/84's assertion that the claim is secured by a valid lien on USACM property and moves this Court, pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure, for an order reclassifying Claim No. 10725-02487 as a general unsecured claim. The USACM Trust is not, by this filing, objecting at this time to any of the claims as unsecured claims or on grounds that the claims were

1 untimely filed, but reserves the right to do so. The basis for this Objection is fully
2 explained in the USACM Liquidating Trust's Motion for Summary Judgment Regarding
3 (1) Responses to the USACM Trust's First through Thirty-Third Omnibus Objections to
4 Claims Asserting a Secured Status; (2) Responses to the USACM Trust's First through
5 Third Omnibus Objections to Claims Asserting a Priority Status; And (3) Newly Alleged
6 Secured And Priority Claims (the "Motion"), filed today. The USACM Trust will serve a
7 copy of the Motion with this objection.

8 Dated: July 30, 2007.

9
10 **LEWIS AND ROCA LLP**

11 By: /s/ RC (#6593)

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